

DECISION

Request No.: 07

Protest

Event: UK Sailmakers Typhoon Series 2023 Race Number: 8
Hearing Schedule: 2023-08-23 19:00

PARTIES AND WITNESSES

Request No.: 07: HKPN - A - HKG 1204 - North Star - Michael van Ommeren

IRC - B - HKG 2108 - Bad Idea Bears on Full Tilt - Albert Cheung (represented by Gordon Liu)

Witnesses: N/A

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: No

Protestor said "I'm going to protest" and reported the protest at the finish boat.

Decision: Request Valid

PROCEDURAL MATTERS

Observers:

1. Cynthia Law
2. Seb Van Ommeren

HKG 1204 didn't hoist the red flag because they were in the danger of boat collision with HKG 2108.

FACTS FOUND

1. Wind was very light of 0-1 knot with calm sea.
2. HKG1204 and HKD2108 were overlapped and on starboard tack.
3. Overlapped was resulted by the windward boat (HKG 1204) overtaking the leeward boat (HKG 2108).
4. HKG 1204 and HKG 2108 were sailed in parallel to finish line, around 80 -100 meters away from finish line.
5. HKG 2108 was on the leeward to HKG 1204 around 2-3 meters.
6. Gap between both boats narrowed down to 1 meter. HKG 2108 took the fenders out to avoid the boat collision.
7. The bow of HKG 2108 was pointed to the port quarter of HKG 1204. HKG 1204 switched on the engine, when it was 1 meter away from HKG 2108, to avoid collision.
8. HKG 1204 switched off the engine around 1 minute, after getting clear from HKG 2108. HKG 1204 continued to sail and tack to the finish line on port tack.
9. HKG 1204 reported their intention of protest to the Finish Boat after the finish line but did not make a detailed declaration about engine usage .
10. No boat collision. No boat took any penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 17, 42.3(i), HHYC Standard Sailing Instruction

1. HKG 1204 breached RRS 42.3(i) and gained a significant advantage in the race, under the sea condition and wind condition and the position of the boat at that time, but without taking any penalty turns.
2. HKG 1204 did not make a detailed declaration about engine usage immediately after the race by notifying Race Office pursuant to rule 24 of the HHYC standard sailing instruction.
3. HKG 2108 had luffing rights (RRS 17 not applied) because the overlapped was resulted by the windward boat (HKG 1204) action. HKG 2108 didn't break any rule.

DECISION

HKG 1204 is DSQ in Race 8.

Date & Time: 2023-08-23 20:45 HKT

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Felix Ng (HKG)

Committee Members: Raymond Wu (HKG), Ben Cheung (HKG)